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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

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In Re: ) Case No.: 18-29161  
Frank Garcia, Jr )  
Kathy H Garcia ) Chapter 13  
 )  
 ) Judge: Jack B. Schmetterer  
Debtor(s) )

TO: Trustee Tom Vaughn, 55 E. Monroe Street, #3850, Chicago, IL 60603;

See attached service list.

**PROOF OF SERVICE**

The undersigned, an attorney, certifies that he transmitted a copy of this notice and the attached Amended Chapter 13 Plan to the above named creditor and also to the attached service list via regular U.S. Mail with postage prepaid from the mailbox located at 4131 Main St. Skokie, IL 60076, on January 22, 2019.

/s/ David H. Cutler  
Attorney for the Debtor

Cutler & Associates, Ltd.  
4131 Main St.  
Skokie, IL 60076  
Phone: (847) 673-8600

Afni  
1310 Martin Luther King Dr  
Bloomington, IL 61701

Alcoa Billing Lender  
3429 Regal Dr  
Alcoa, TN 37701

Alexian Brothers  
3040 Salk Creek Lane  
Arlington Heights, IL 60005

Alexian Brothers Behavioral Health  
ATTN #17632E  
PO Box 14000  
Belfast, ME 04915

Alliance Laboratory Physicians  
PO Box 5968  
Carol Stream, IL 60197

Alliance Pathology Consultants  
PO Box 5967  
Carol Stream, IL 60197

Alltran Financial  
PO Box 610  
Sauk Rapids, MN 56379

Ally Financial  
Po Box 380901  
Bloomington, MN 55438

American Surgical Professionals  
7324 Southwest Pky, Ste 1550  
Houston, TX 77074

Amita Healthcare  
22589 Network Place  
Chicago, IL 60673

Arlington Ridge Patholigy  
520 E 22nd Street  
Lombard, IL 60148

ARS  
PO Box 630806  
Cincinnati, OH 45263

Asthma and Allergy Center  
303 E Army Trail Rd, Ste 403  
Bloomingdale, IL 60108

Beneficial/HFC  
Attn: Bankruptcy  
Po Box 5263  
Carol Stream, IL 60197

BSI Financial Services  
PO Box 679002  
Dallas, TX 75267

Capital One  
Attn: Bankruptcy  
Po Box 30285  
Salt Lake City, UT 84130

Capital One  
c/o Becket and Lee LP  
PO Box 3001  
Malvern, PA 19355

Capital One Bank  
American Infosource LP  
PO Box 71083  
Charlotte, NC 28272

Certified Services Inc  
Po Box 177  
Waukegan, IL 60079

Chuhak & Tecson  
30 S Wacker Dr Ste. 2600  
Chicago, IL 60606

Codilis & Associates, PC  
15W030 N Frontage Road  
Suite 100  
Burr Ridge, IL 60527

Comenity Bank/Sizes  
Po Box 182125  
Columbus, OH 43218

Comenitycapital/mrsota  
Po Box 182125  
Columbus, OH 43218

Comenitycapital/smplyb  
Po Box 182125  
Columbus, OH 43218

Core Orthopedics  
ATTN 14346E  
PO Box 14000  
Belfast, ME 04915

Credit One Bank  
Po Box 98873  
Las Vegas, NV 89193

Credit One Bank Na  
Po Box 98873  
Las Vegas, NV 89193

Dr. Frank C. Madda, MD  
1585 Barrington Rd Ste 601  
Hoffman Estates, IL 60169

Fingerhut  
6250 Ridgewood Rd  
St Cloud, MN 56303

Ford Credit  
National Bankrupcy Service Center  
Po Box 62180  
Colorado Springs, CO 80962

Fst Premier  
3820 N Louise Ave  
Sioux Falls, SD 57107

Gabriela Montes, MD  
2124 Ogden Ave Ste 101  
Aurora, IL 60504

Ginnys/Swiss Colony Inc  
Attn: Bankruptcy  
1112 7th Ave  
Monroe, WI 53566

Harris  
Harris & Harris, Ltd.  
111 W Jackson Blvd 400  
Chicago, IL 60604

Harris & Harris LTD  
111 West Jackson Blvd, Ste 400  
Chicago, IL 60604

HFC/Beneficial Mtg Services  
Attn: Bankruptcy  
961 Weigel Dr  
Elmhurst, IL 60126

HRRG  
PO Box 5406  
Cincinnati, OH 45273

HSBC Bank  
c/o PHH Mortgage Corp  
One Mortgage Way  
Mount Laurel, NJ 08054

HSBC Bank USA  
c/o PHH Mortgage Corp  
One Mortgage Way  
Mount Laurel, NJ 08054

IC Systems, Inc  
444 Highway 96 East  
Po Box 64378  
St Paul, MN 55164

Illinois Dept. of Employment Securi  
PO Box 6996  
Chicago, IL 60606-6996

Illinois Dept. of Employment Securi  
PO Box 4385  
Chicago, IL 60680

Illinois Tollway 7/18  
Legal Department  
PO BOX 5544  
Chicago, IL 60680

k. Jordan  
c/o Creditors Bankruptcy Service  
PO Box 800849  
Dallas, TX 75380

Kay Jewelers  
PO Box 740425  
Cincinnati, OH 45274

Kay Jewelers/Sterling Jewelers Inc.  
Sterling Jewelers  
Po Box 1799  
Akron, OH 44309

Keynote Consulting  
220 W Campus Dr, Ste 102  
Arlington Heights, IL 60004

Kohls/Capital One  
Po Box 3120  
Milwaukee, WI 53201

Kohls/capone  
N56 W 17000 Ridgewood Dr  
Menomonee Falls, WI 53051

LVNV Funding assignee FNB M LLC  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603

Mabt/contfin  
121 Continental Dr Ste 1  
Newark, DE 19713

Malcolm S. Gerald and Assoc  
332 S Michigan Ave  
Ste 600  
Chicago, IL 60604

Malcolm S. Gerald and Assoc  
111 W Washington, Ste 450  
Chicago, IL 60602

Massey's  
c/o Creditor Bankruptcy Services  
PO Box 800849  
Dallas, TX 75380

Matthew D Robinson  
28 N First St, Ste 108  
Geneva, IL 60134

McCarthy Burgers & Wolf  
26000 Cannon Rd  
Bedford, OH 44146

Merrick Bank  
Resurgent Capital Services  
PO Box 10368  
Greenville, SC 29603

Merrick Bk  
Attn: Bankruptcy  
P.O. Box 9201  
Old Bethpage, NY 11804

Midnight Velvet  
Swiss Colony Midnight Velvet  
1112 7th Ave  
Monroe, WI 53566

Midwest Emergency Assoc  
PO Box 740023  
Cincinnati, OH 45274

Miraed Revenue Group  
Dept 77304  
PO Box 77000  
Detroit, MI 48277

Mr. Cooper  
8950 Cypress Water Blvd  
Dallas, TX 75019

Myriad Genetic Laboratories  
PO Box 581588  
Salt Lake City, UT 84158

Ndc Ck Svc  
Po Box 661158  
Chicago, IL 60666

Northwest Community Healthcare  
28079 Network Place  
Chicago, IL 60673

Pellettieri  
991 Oak Creek Dr  
Lombard, IL 60148

Peters Lisa J MD  
1010 Lake St  
Oak Park, IL 60301

Plains Comme  
2101 W 41st Street, Ste34  
Sioux Falls, SD 57109

Publishers Clearing House  
PO Box 6344  
Harlan, IA 51593

Quantum3 Group LLC as agent for  
Comenity Capital Bank  
PO Box 788  
Kirkland, WA 98083

Radiological Consultants of Woodsto  
9410 Compubill Drive  
Orland Park, IL 60462

Radius Global Solutions  
PO Box 390846  
Minneapolis, MN 55439

Richard Grenvich  
33 S State St. Ste 992  
Chicago, IL 60603

Select Portfolio Servicing  
Po Box 65250  
Salt Lake City, UT 84165

Seventh Ave  
1112 7th Ave  
Monroe, WI 53566

St Alexius Medical Center  
3040 W Salt Creek Lane  
Arlington Heights, IL 60005

Sterling Jewelers dba Kay Jewelers  
c/o Buckley King LPA  
Cleveland, OH 44114

Streamwood Green Phase II  
c/o CARE Property Mgt Inc  
1985 E Devon Ave  
Hanover Park, IL 60133

Suburban Ear Nose and Throat  
880 W Central Rd, Ste 7200  
Arlington Heights, IL 60005

The Billing Center  
Time Customer Service  
3000 University Center  
Tampa, FL 33612

US Bank Trust National Association  
2001 Bishops Gate Blvd  
Mount Laurel, NJ 08054

Verve  
PO Box 31292  
Tampa, FL 33631

Webbank/fingerhut  
6250 Ridgewood Rd  
Saint Cloud, MN 56303

WindowWorks Inc  
570 E North Frontage Rd  
Bolingbrook, IL 60440

Your Dog  
PO Box 8517  
Big Sandy, TX 75755

Fill in this information to identify your case:

Debtor 1	<b>Frank Garcia, Jr</b>		
	First Name	Middle Name	Last Name
Debtor 2	<b>Kathy H Garcia</b>		
(Spouse, if filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	<b>NORTHERN DISTRICT OF ILLINOIS</b>		
Case number:	<b>18-29161</b>		
(If known)			

Check if this is an amended plan, and list below the sections of the plan that have been changed.  
**1.1, 1.3, 2.1, 2.3, 2.5, 3.1, 3.2, 4.2, 5.1, 8.1**

**Official Form 113****Chapter 13 Plan**

12/17

**Part 1: Notices**

**To Debtor(s):** This form sets out options that may be appropriate in some cases, but the presence of an option on the form does not indicate that the option is appropriate in your circumstances or that it is permissible in your judicial district. Plans that do not comply with local rules and judicial rulings may not be confirmable.

*In the following notice to creditors, you must check each box that applies*

**To Creditors:** Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated.

You should read this plan carefully and discuss it with your attorney if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you oppose the plan's treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation at least 7 days before the date set for the hearing on confirmation, unless otherwise ordered by the Bankruptcy Court. The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is filed. See Bankruptcy Rule 3015. In addition, you may need to file a timely proof of claim in order to be paid under any plan.

The following matters may be of particular importance. **Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not Included" or if both boxes are checked, the provision will be ineffective if set out later in the plan.**

<b>1.1</b>	A limit on the amount of a secured claim, set out in Section 3.2, which may result in a partial payment or no payment at all to the secured creditor	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included
<b>1.2</b>	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section 3.4.	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
<b>1.3</b>	Nonstandard provisions, set out in Part 8.	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included

**Part 2: Plan Payments and Length of Plan**

**2.1 Debtor(s) will make regular payments to the trustee as follows:**

**\$770** per **Month** for **3** months  
**\$865** per **Month** for **57** months

*Insert additional lines if needed.*

If fewer than 60 months of payments are specified, additional monthly payments will be made to the extent necessary to make the payments to creditors specified in this plan.

**2.2 Regular payments to the trustee will be made from future income in the following manner.**

*Check all that apply:*

- Debtor(s) will make payments pursuant to a payroll deduction order.
- Debtor(s) will make payments directly to the trustee.
- Other (specify method of payment):

**2.3 Income tax refunds.**

*Check one.*

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**Frank Garcia, Jr**  
**Kathy H Garcia**

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Debtor(s) will retain any income tax refunds received during the plan term.

Debtor(s) will supply the trustee with a copy of each income tax return filed during the plan term within 14 days of filing the return and will turn over to the trustee all income tax refunds received during the plan term.

Debtor(s) will treat income refunds as follows:

**Debtor(s) shall submit a copy of their federal income tax return to the Trustee each year, beginning with the tax return for the tax year in which this case was filed, no later than April 20th. The debtor(s) shall tender to the Trustee the amount of any tax refund in excess of \$1,200 each year, beginning the year after the plan is confirmed, within 7 days of receipt of the tax refund. Refunds must be received by the Trustee by June 30th of each year.**

#### 2.4 Additional payments.

Check one.

**None.** If "None" is checked, the rest of § 2.4 need not be completed or reproduced.

#### 2.5 The total amount of estimated payments to the trustee provided for in §§ 2.1 and 2.4 is \$51,615.00.

#### Part 3: Treatment of Secured Claims

##### 3.1 Maintenance of payments and cure of default, if any.

Check one.

**None.** If "None" is checked, the rest of § 3.1 need not be completed or reproduced.

The debtor(s) will maintain the current contractual installment payments on the secured claims listed below, with any changes required by the applicable contract and noticed in conformity with any applicable rules. These payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. Any existing arrearage on a listed claim will be paid in full through disbursements by the trustee, with interest, if any, at the rate stated. Unless otherwise ordered by the court, the amounts listed on a proof of claim filed before the filing deadline under Bankruptcy Rule 3002(c) control over any contrary amounts listed below as to the current installment payment and arrearage. In the absence of a contrary timely filed proof of claim, the amounts stated below are controlling. If relief from the automatic stay is ordered as to any item of collateral listed in this paragraph, then, unless otherwise ordered by the court, all payments under this paragraph as to that collateral will cease, and all secured claims based on that collateral will no longer be treated by the plan. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of Creditor	Collateral	Current installment payment (including escrow)	Amount of arrearage (if any)	Interest rate on arrearage (if applicable)	Monthly payment on arrearage	Estimated total payments by trustee
US Bank Trust National Association	226 Whitewood Dr Streamwood, IL 60107 Cook County Principal Residence	\$775.55	Prepetition: \$39,693.98	0.00%	\$763.35	\$39,693.98

Disbursed by:  
 Trustee  
 Debtor(s)

Insert additional claims as needed.

##### 3.2 Request for valuation of security, payment of fully secured claims, and modification of undersecured claims. Check one.

**None.** If "None" is checked, the rest of § 3.2 need not be completed or reproduced.

*The remainder of this paragraph will be effective only if the applicable box in Part 1 of this plan is checked.*

The debtor(s) request that the court determine the value of the secured claims listed below. For each non-governmental secured claim listed below, the debtor(s) state that the value of the secured claim should be as set out in the column headed *Amount of secured claim*. For secured claims of governmental units, unless otherwise ordered by the court, the value of a secured claim listed in a proof of claim filed in accordance with the Bankruptcy Rules controls over any contrary amount listed below. For each listed claim, the value of the secured claim will be paid in full with interest at the rate stated below.

The portion of any allowed claim that exceeds the amount of the secured claim will be treated as an unsecured claim under Part 5

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of this plan. If the amount of a creditor's secured claim is listed below as having no value, the creditor's allowed claim will be treated in its entirety as an unsecured claim under Part 5 of this plan. Unless otherwise ordered by the court, the amount of the creditor's total claim listed on the proof of claim controls over any contrary amounts listed in this paragraph.

The holder of any claim listed below as having value in the column headed *Amount of secured claim* will retain the lien on the property interest of the debtor(s) or the estate(s) until the earlier of:

(a) payment of the underlying debt determined under nonbankruptcy law, or

(b) discharge of the underlying debt under 11 U.S.C. § 1328, at which time the lien will terminate and be released by the creditor.

Name of creditor	Estimated amount of creditor's total claim	Collateral	Value of collateral	Amount of claims senior to creditor's claim	Amount of secured claim	Interest rate	Monthly payment to creditor	Estimated total of monthly payments
Ally Financial	\$20.00	2007 Chevrolet Aveo 226 Whitewood Dr Streamwood, IL 60107	\$1,000.00	\$0.00	\$20.00	7.00%	\$20.12	\$20.12
Streamwood Green Phase II	\$1,725.92	Cook County Principal Residence	\$160,000.00	\$163,000.00	\$1,725.92	0.00%	\$61.64	\$1,725.92

Insert additional claims as needed.

### 3.3 Secured claims excluded from 11 U.S.C. § 506.

Check one.

**None.** If "None" is checked, the rest of § 3.3 need not be completed or reproduced.

### 3.4 Lien avoidance.

Check one.

**None.** If "None" is checked, the rest of § 3.4 need not be completed or reproduced.

### 3.5 Surrender of collateral.

Check one.

**None.** If "None" is checked, the rest of § 3.5 need not be completed or reproduced.

## Part 4: Treatment of Fees and Priority Claims

### 4.1 General

Trustee's fees and all allowed priority claims, including domestic support obligations other than those treated in § 4.5, will be paid in full without postpetition interest.

### 4.2 Trustee's fees

Trustee's fees are governed by statute and may change during the course of the case but are estimated to be **6.00%** of plan payments; and during the plan term, they are estimated to total **\$3,096.90**.

### 4.3 Attorney's fees.

The balance of the fees owed to the attorney for the debtor(s) is estimated to be **\$4,000.00**.

### 4.4 Priority claims other than attorney's fees and those treated in § 4.5.

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Check one.

**None.** If "None" is checked, the rest of § 4.4 need not be completed or reproduced.

**4.5 Domestic support obligations assigned or owed to a governmental unit and paid less than full amount.**

Check one.

**None.** If "None" is checked, the rest of § 4.5 need not be completed or reproduced.

**Part 5: Treatment of Nonpriority Unsecured Claims**

**5.1 Nonpriority unsecured claims not separately classified.**

Allowed nonpriority unsecured claims that are not separately classified will be paid, pro rata. If more than one option is checked, the option providing the largest payment will be effective. *Check all that apply.*

The sum of \$ \_\_\_\_\_.

**10.00** % of the total amount of these claims, an estimated payment of \$ **3,078.08**.

The funds remaining after disbursements have been made to all other creditors provided for in this plan.

If the estate of the debtor(s) were liquidated under chapter 7, nonpriority unsecured claims would be paid approximately \$ **2,317.50**. Regardless of the options checked above, payments on allowed nonpriority unsecured claims will be made in at least this amount.

**5.2 Maintenance of payments and cure of any default on nonpriority unsecured claims. Check one.**

**None.** If "None" is checked, the rest of § 5.2 need not be completed or reproduced.

**5.3 Other separately classified nonpriority unsecured claims. Check one.**

**None.** If "None" is checked, the rest of § 5.3 need not be completed or reproduced.

**Part 6: Executory Contracts and Unexpired Leases**

**6.1 The executory contracts and unexpired leases listed below are assumed and will be treated as specified. All other executory contracts and unexpired leases are rejected. Check one.**

**None.** If "None" is checked, the rest of § 6.1 need not be completed or reproduced.

**Part 7: Vesting of Property of the Estate**

**7.1 Property of the estate will vest in the debtor(s) upon**

*Check the applicable box:*

plan confirmation.

entry of discharge.

other: \_\_\_\_\_

**Part 8: Nonstandard Plan Provisions**

**8.1 Check "None" or List Nonstandard Plan Provisions**

**None.** If "None" is checked, the rest of Part 8 need not be completed or reproduced.

*Under Bankruptcy Rule 3015(c), nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise included in the Official Form or deviating from it. Nonstandard provisions set out elsewhere in this plan are ineffective.*

*The following plan provisions will be effective only if there is a check in the box "Included" in § 1.3.*

**1) The Chapter 13 plan payments will increase from \$770 to \$865 per month commencing with the February 2019 plan**

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payment until the end of the plan.

Part 9: **Signature(s):**

**9.1 Signatures of Debtor(s) and Debtor(s)' Attorney**

*If the Debtor(s) do not have an attorney, the Debtor(s) must sign below, otherwise the Debtor(s) signatures are optional. The attorney for Debtor(s), if any, must sign below.*

/s/ Frank Garcia, Jr

**Frank Garcia, Jr**

Signature of Debtor 1

/s/ Kathy H Garcia

**Kathy H Garcia**

Signature of Debtor 2

Executed on January 21, 2019

Executed on January 21, 2019

/s/ David H. Cutler

**David H. Cutler**

Signature of Attorney for Debtor(s)

Date January 21, 2019

**By filing this document, the Debtor(s), if not represented by an attorney, or the Attorney for Debtor(s) also certify(ies) that the wording and order of the provisions in this Chapter 13 plan are identical to those contained in Official Form 113, other than any nonstandard provisions included in Part 8.**

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**Exhibit: Total Amount of Estimated Trustee Payments**

The following are the estimated payments that the plan requires the trustee to disburse. If there is any difference between the amounts set out below and the actual plan terms, the plan terms control.

a. Maintenance and cure payments on secured claims (Part 3, Section 3.1 total)	<u>\$39,693.98</u>
b. Modified secured claims (Part 3, Section 3.2 total)	<u>\$1,746.04</u>
c. Secured claims excluded from 11 U.S.C. § 506 (Part 3, Section 3.3 total)	<u>\$0.00</u>
d. Judicial liens or security interests partially avoided (Part 3, Section 3.4 total)	<u>\$0.00</u>
e. Fees and priority claims (Part 4 total)	<u>\$7,096.90</u>
f. Nonpriority unsecured claims (Part 5, Section 5.1, highest stated amount)	<u>\$3,078.08</u>
g. Maintenance and cure payments on unsecured claims (Part 5, Section 5.2 total)	<u>\$0.00</u>
h. Separately classified unsecured claims (Part 5, Section 5.3 total)	<u>\$0.00</u>
i. Trustee payments on executory contracts and unexpired leases (Part 6, Section 6.1 total)	<u>\$0.00</u>
j. Nonstandard payments (Part 8, total)	+ <u>\$0.00</u>
<b>Total of lines a through j</b>	<b><u>\$51,615.00</u></b>